

REMARKS

I. Introduction

With the addition of new claims 28 and 29, claims 11 to 29 are currently pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 11 to 18, and 21 to 23 Under 35 U.S.C. § 102(b)

Claims 11 to 13, 15 to 18, and 21 to 23 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,359,713 ("Tsunoda"). It is respectfully submitted that Tsunoda does not anticipate the present claims for the following reasons.

Claim 11 relates to a method for outputting at least one of information and status messages of at least one electrical device using speech, and recites outputting the at least one of information and status messages on an output device using an intonation in accordance with a relevance.

The Office Action refers to col. 5, lines 16 to 41 as allegedly disclosing outputting the information and/or messages using an intonation in accordance with a relevance. However, the section referred to by the Office Action refers to variations in volume. Nowhere does Tsunoda disclose, or even suggest, outputting information or speech using an intonation in accordance with a relevance. Since Tsunoda does not disclose, or even suggest, all of the features recited in claim 11, it is therefore respectfully submitted that Tsunoda does not anticipate claim 11.

As for claims 12 to 18, 22, and 23, which ultimately depend from claim 11 and therefore include all of the features recited in claim 11, it is respectfully submitted that Tsunoda does not anticipate these dependent claims for the same reasons set forth above in support of the patentability of claim 11.

Claim 21 relates to a device for outputting at least one of information and status messages using speech, and recites that the at least one of information and status messages is output using an intonation in accordance with a relevance.

As set forth above in support of the patentability of claim 11, Tsunoda does not disclose, or even suggest, a device for outputting at least one of information and status messages using an intonation in accordance with a relevance. Thus, Tsunoda does not disclose, or even suggest, all of the features recited in claim 21. It is therefore, respectfully submitted that Tsunoda does not anticipate claim 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 19 Under 35 U.S.C. § 103(a)

Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsunoda and U.S. Patent No. 5,584,052 ("Gulau et al."). Applicants respectfully submit that the combination of Tsunoda and Gulau et al. does not render unpatentable claim 19 for the following reasons.

Claim 19 depends from claim 11 and therefore includes all of the features recited in claim 11. A set forth above in support of the patentability of claim 11, Tsunoda does not disclose or suggest all of the features recited in claim 11, from which claim 19 depends. Gulau et al. are not relied upon for disclosing or suggesting the limitations of claim 11 not disclosed or suggested by Tsunoda. Indeed, it is respectfully submitted that Gulau et al. do not disclose or suggest the limitations of claim 11 not disclosed or suggested by Tsunoda. It is therefore respectfully submitted that the combination of Tsunoda and Gulau et al. does not render unpatentable this dependent claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988) (any dependent claim that depends from a non-obvious independent claim is non-obvious).

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 20 and 26 Under 35 U.S.C. § 103(a)

Claims 20 and 26 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsunoda and U.S. Patent No. 6,173,266 ("Marx et al."). Applicants respectfully submit that the combination of Tsunoda and Marx et al. does not render unpatentable either of claims 20 or 26 for the following reasons.

Claims 20 and 26 ultimately depend from claim 11 and therefore include all of the features recited in claim 11. A set forth above in support of the patentability of claim 11, Tsunoda does not disclose or suggest all of the features recited in claim 11. Marx et al. are not relied upon for disclosing or suggesting the limitations of claim 11 not disclosed or suggested by Tsunoda. Indeed, it is respectfully submitted that Marx et al. do not disclose or suggest the features recited in claim 11 not disclosed or suggested by Tsunoda. It is therefore respectfully submitted that the combination of Tsunoda and Marx et al. does not render unpatentable these dependent claims. *Id.*

✓ Furthermore, with respect to claim 20, claim 20 recites changing a dialog-communication level in response to a failure to interact with a last of successive alternatives of at least one of information and status messages. In Marx et al., a fallback method will be used if it is determined that a threshold retry number is reached. Col. 13, lines 59 to 62.

While Marx et al. may provide for alternative prompts, nevertheless, Marx et al. state that prompts and reprompts are continuously output as long as the threshold retry number is not reached, i.e., even though all alternative prompts and reprompts have already been output, and even though further output of prompts or reprompts requires repeating a previously output prompt or reprompt. Nowhere do Marx et al. disclose or suggest changing a dialog-communication level in response to a failure to interact with a last of successive alternatives. For this additional reason, it is respectfully submitted that the combination of Tsunoda and Marx et al. does not render unpatentable claim 20.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claim 24 Under 35 U.S.C. § 103(a)

Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsunoda, Marx et al., and U.S. Patent No. 5,007,095 ("Nara et al."). Applicants respectfully submit that the combination of Tsunoda, Marx et al., and Nara et al. does not render unpatentable claim 24 for the following reasons.

Claim 24 ultimately depends from claim 11 and therefore includes all of the features recited in claim 11. As set forth above in support of the patentability of claim 11, Tsunoda does not disclose or suggest all of the features recited in claim 11. The combination of Marx et al. and Nara et al. is not relied upon for disclosing or suggesting the features recited in claim 11 not disclosed or suggested by Tsunoda. Indeed, it is respectfully submitted that the combination of Marx et al. and Nara et al. does not disclose or suggest the features recited in claim 11 not disclosed or suggested by Tsunoda. It is therefore respectfully submitted that the combination of Tsunoda, Marx et al., and Nara et al. does not render unpatentable this dependent claim. *Id.*

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claim 25 Under 35 U.S.C. § 103(a)

Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsunoda, Marx et al., and U.S. Patent No. 4,400,787 ("Mandel et al."). Applicants respectfully submit that the combination of Tsunoda, Marx et al., and Mandel et al. does not render unpatentable claim 25 for the following reasons.

Claim 25 ultimately depends from claim 11 and therefore includes all of the features recited in claim 11. A set forth above in support of the patentability of claim 11, Tsunoda does not disclose or suggest all of the features recited in claim 11. The combination of Marx et al. and Mandel et al. is not relied upon for disclosing or suggesting the features recited in claim 11 not disclosed or suggested by Tsunoda. Indeed, it is respectfully submitted that the combination of Marx et al. and Mandel et al. does not disclose or suggest the features recited in claim 11 not disclosed or suggested by Tsunoda. It is therefore respectfully submitted that the combination of Tsunoda, Marx et al., and Mandel et al. does not render unpatentable this dependent claim. *Id.*

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claim 27 Under 35 U.S.C. § 103(a)

Claim 27 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsunoda, Marx et al., and U.S. Patent No. 5,864,805 ("Chen et al."). Applicants respectfully submit that the combination of Tsunoda, Marx et al., and Chen et al. does not render unpatentable claim 27 for the following reasons.

Claim 27 ultimately depends from claim 11 and therefore includes all of the features recited in claim 11. A set forth above in support of the patentability of claim 11, Tsunoda does not disclose or suggest all of the features recited in claim 11. The combination of Marx et al. and Chen et al. is not relied upon for disclosing or suggesting the features recited in claim 11 not disclosed or suggested by Tsunoda. Indeed, it is respectfully submitted that the combination of Marx et al. and Chen et al. does not disclose or suggest the features recited in claim 11 not disclosed or suggested by Tsunoda. It is therefore respectfully submitted that the combination of Tsunoda, Marx et al., and Chen et al. does not render unpatentable this dependent claim. *Id.*

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VIII. New Claims 28 and 29


New claims 28 and 29 have been added herein. It is respectfully submitted that new claims 28 and 29 do not add any new matter and are fully supported by the present application, including the Specification. Since claim 28 depends from claim 11, it is respectfully submitted that claim 28 is patentable over the references relied upon for at least the same reasons given above in support of the patentability of claim 11. Since claim 29 depends from claim 21, it is respectfully submitted that claim 29 is patentable over the references relied upon for at least the same reasons given above in support of the patentability of claim 21.

IX. Conclusion

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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